

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING

OFFENSE CHARGED

18 U.S.C. § 1349-- Conspiracy to Commit Bank Fraud ☐ Petty
 18 U.S.C. § 1344(1), (2) - Bank Fraud ☐ Minor
 18 U.S.C. § 1349 - Conspiracy to Commit Honest Services Wire Fraud ☐ Misdemeanor
 18 U.S.C. §§ 1343, 1346 - Honest Services Wire Fraud ☐ Felony
 18 U.S.C. § 2 Aiding and Abetting ☒ Felony
 28 U.S.C. § 2461(c) - Forfeiture Allegation ☒ Felony

PENALTY: Counts 1 and 2 (each count), 30 years imprisonment; \$1,000,000 fine; 5 years supervised release and \$100 special assessment.
 Counts 3 through 7 (each count) 20 years imprisonment; \$250,000 fine; 3 years supervised release and \$100 special assessment

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

DEFENDANT - U.S.

▶ HARLAN KELLY

DISTRICT COURT NUMBER

CR 21-0402 RS

FILED

Oct 19 2021

CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FBI

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE
SHOW
DOCKET NO.
☐ this prosecution relates to a pending case involving this same defendant
MAGISTRATE
CASE NO.
☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person
 Furnishing Information on this form Stephanie M. Hinds

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.
 Attorney (if assigned) David Ward/ Robin Harris

DEFENDANT**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

1) ☐ If not detained give date any prior summons was served on above charges ▶

2) ☐ Is a Fugitive

3) ☒ Is on Bail or Release from (show District)

NDCA

IS IN CUSTODY

4) ☐ On this charge

5) ☐ On another conviction

☐ Federal ☐ State

6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer ☐ Yes
 been filed? ☐ No

If "Yes"
 give date
 filed

**DATE OF
 ARREST** ▶

Month/Day/Year

Or... if Arresting Agency & Warrant were not

**DATE TRANSFERRED
 TO U.S. CUSTODY** ▶

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☒ NO PROCESS* ☐ WARRANT

Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____ Before Judge: _____

Comments:

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

18 U.S.C. § 1349-- Conspiracy to Commit Bank Fraud ☐ Petty
 18 U.S.C. § 1344(1), (2) - Bank Fraud ☐ Minor
 18 U.S.C. § 1349 - Conspiracy to Commit Honest Services Wire Fraud ☐ Misdemeanor
 18 U.S.C. §§ 1343, 1346 - Honest Services Wire Fraud ☐ Felony
 18 U.S.C. § 2 Aiding and Abetting ☒ Felony
 28 U.S.C. § 2461(c) - Forfeiture Allegation ☒ Felony

PENALTY: Counts 1 and 2 (each count), 30 years imprisonment; \$1,000,000 fine; 5 years supervised release and \$100 special assessment.
 Counts 3 through 7 (each count) 20 years imprisonment; \$250,000 fine; 3 years supervised release and \$100 special assessment

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

DEFENDANT - U.S.

VICTOR MAKRAS

DISTRICT COURT NUMBER

CR 21-0402 RS

FILED

Oct 19 2021

 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO
PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FBI

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form Stephanie M. Hinds

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned)

David Ward/ Robin Harris

DEFENDANT**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

 1) ☒ If not detained give date any prior summons was served on above charges

 2) ☐ Is a Fugitive

 3) ☐ Is on Bail or Release from (show District)
IS IN CUSTODY
 4) ☐ On this charge

 5) ☐ On another conviction

☐ Federal ☐ State

 6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☒ SUMMONS ☐ NO PROCESS* ☐ WARRANT

Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☒ Initial Appearance

Defendant Address:

Keker & Van Nest LLP, 633 Battery Street, San Francisco, CA 94111

Date/Time: Nov. 4, 2021 at 10:30a Before Judge: Jacqueline S. Corley

Comments: Victor Makras c/o Jan Little, Esq

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment